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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/070,916 | 03/13/2002 | Hiroyuki Fumioka | 058856-0110 | 2983 |

22428 7590 02/17/2004

FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

DUNWOODY, AARON M

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3679

DATE MAILED: 02/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,916

Applicant(s)

FUMIOKA, HIROYUKI

Examiner

Aaron M Dunwoody

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) filed 12/31/2002 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

The drawings were received on 11/25/2003. These drawings are approved.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipate by Japanese Publication 2000-167043.

In regards to claim 1, in Figure 1, Japanese Publication 2000-167043 discloses a socket comprising a socket main body having a coupling part and a cylindrical part, and outer sleeve fitted onto the coupling part of the socket main body, and a spring-biased holder for pressing a locking ball, the holder being accommodated between the socket main body and the outer sleeve and capable of moving back and forth, and the socket is capable of being attached to or removed from a plug, and a front end portion of the holder constituting a protrusion that externally protrudes from a front end surface of the outer sleeve, so that when cleaning the socket, the locking ball can be released by

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pressing the protrusion of the holder to retract the holder, thereby canceling a constraint state of the locking ball.

In regards to claim 3, Japanese Publication 2000-167043 discloses the protrusion on the front end portion of the holder and front end surface of the outer sleeve being configured to be visually discriminable.

In regards to claim 4, Japanese Publication 2000-167043 discloses the coupling part of the socket main body having a communication hole constituting an internal passage.

In regards to claim 5, Japanese Publication 2000-167043 discloses the coupling part of the socket main body having, on an inner wall thereof, an end face seal (58) that abuts against an end of the plug.

In regards to claim 6, in paragraphs 17-48, Japanese Publication 2000-167043 discloses a method for cleaning a socket for a dialyzer using a cleaning adapter, whereing the socket connects a plug of the dialyzer and a dialysate tube for supplying or discharging a dialysate, the method comprising:

obtaining the socket for a dialyzer, the socket including

a socket main body having a coupling part to be fitted onto the plug of the dialyzer and a cylindrical part for connecting the dialysate tube, wherein an outer sleeve is fitted onto the coupling part of the socket main body, and

a spring-biased holder for pressing a locking ball, the holder being accommodated between the socket main body and the outer sleeve and capable of moving back and forth; wherein

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the coupling part of the socket main body having a communication hole constituting an internal passage for the cleaning solution that is distant rearward from the accommodation hole for the locking ball by a predetermined distance, and a front end portion of the holder constituting a protrusion that externally protrudes from a front end surface of the outer sleeve;

obtaining the cleaning adapter, the cleaning adapter including a cylindrical adapter main body that has socket accommodation rooms for accommodating a coupling part of a socket provided on both sides of a block via a sealing member and a small-diameter passage for connecting the respective accommodation rooms formed in the block to pass therethrough, and locking collars each for locking the socket that are fitted onto the both ends of the adapter main body;

inserting the coupling part of the socket into a socket accommodation room of the adapter main body;

retracting the holder of the socket by the protrusion to release the locking ball as the adapter main body and the socket are locked;

circulating cleaning solution through the adapter main body;

introducing the cleaning solution into the coupling part of the socket through the inside of the connecting cylindrical part; and

exposing the inner wall of the socket, the entire surface of the locking ball and contents in the internal passage to the cleaning solution.

In regards to claim 9, Japanese Publication 2000- 167043 discloses a cleaning adapter used for cleaning a socket for a dialyzer comprising a socket main body having

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a coupling part to be fitted onto the plug of the dialyzer and a cylindrical part for connecting the dialysate tube, an outer sleeve fitted onto the coupling part of the socket main body, and a spring-biased holder for pressing a locking ball, the holder being accommodated between the socket main body and the outer sleeve and capable of moving back and forth, and the coupling part of the socket main body having a communication hole constituting an internal passage for the cleaning solution that is distant rearward from the accommodation hole for the locking ball by a predetermined distance, the cleaning adapter comprising:

a cylindrical adapter main body that having a plurality socket accommodation rooms for accommodating a coupling part of a socket on both sides of a block and a small-diameter passage for connecting the respective accommodation rooms formed in the block to pass therethrough, and locking collars for locking the socket that are fitted onto the both ends of the adapter main body, and a pressing protrusion for pressing a protrusion on the holder provided on a bottom wall of the socket accommodation rooms of the adapter main body, the coupling part of the socket being adapted to be inserted into a socket accommodation room of the adapter main body, the holder being adapted to be retracted by the protrusion to release the locking ball to lock the adapter main body and the socket so that the cleaning solution can be circulated through the adapter main body so the inner wall of the socket and contents in the internal passage are exposed to the cleaning solution.

Response to Arguments

Applicant's arguments with respect to claims 1, 2-6 and 9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M Dunwoody whose telephone number is (703) 306-3436. The examiner can normally be reached on Monday - Friday between 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on (703) 308-1159. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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